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No. 81-38
IN THE

Supreme Court of the United States

October Term 1981

MARY ELLEN CRAWFORD, etc., *et al.*,
Petitioners,

vs.

BOARD OF EDUCATION OF THE CITY OF LOS ANGELES,
Respondent.

AMICUS CURIAE BRIEF IN SUPPORT OF RESPONDENT.

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Interest of Amicus Curiae.

The interest of Alan Robbins in this case is fundamental. Proposed amicus curiae Alan Robbins is a member of the California Senate, representing over 500,000 residents of the San Fernando Valley. He is the author and primary proponent of Proposition 1, which became incorporated in Article I, § 7(a) of the California Constitution.

The undersigned respectfully files the attached brief as amicus curiae. The respective consents of the attorneys for petitioners and respondent to the filing of this brief have been lodged with the Clerk of the Court.

Brief of Amicus Curiae
Senator Alan Robbins.

Commencing in 1977, Senator Robbins led an effort to place this constitutional amendment before the voters of California. In early 1979 Proposition 1 was approved for submission to the electorate by an overwhelming vote of 31 to 5 in the Senate, and 62 to 17 in the State Assembly. The voters of California passed Proposition 1 by a "yes" vote of almost 70%. It received a majority vote in each of our 58 counties and a substantial vote in every racial and ethnic community in the State. It received a majority "yes" vote in 15 of the 17 legislative districts represented in the State legislature by minority members, a delegation that included two Japanese assemblymen, seven Latino legislators, and eight Black members.

Proposition 1, also known as the Robbins Amendment, received this broad support because of a feeling amongst the electorate of California that mandatory busing of school children is a severe and traumatic remedy which should only be applied when required by the Constitution of the United States.

The decision to repeal independent State authorization for mandatory busing was not made in haste. It came about after substantial experience with mandatory student reassignment showed that it was counter-productive to our goal of harmonious race relations and counter-productive to the achievement of student integration.

The author of Proposition 1 is a Democract, a 20-year supporter of Rev. Martin Luther King, the elected representative of a district where half of the school children are members of minority groups, and a strong committed advocate of achieving integration through open housing in the community and through school attendance boundary ad-

justments, voluntary pupil transfers, and magnet programs in our schools.

Because of the extreme hardship of mandatory reassignments and its cost in human and material terms, the author of Proposition 1 and its 55 legislative co-authors came to the conclusion that the best interests of the students would be served if California conformed its constitutional provision on this subject to that of the Federal government. The overwhelming majority of the voters in this State affirmed that decision, and the appellate courts of California upheld its constitutionality.

By allowing California to proceed on its own course towards meaningful school integration, and by allowing our State to do this in full and complete compliance with the United States Constitution, this court will be giving us the opportunity to achieve major steps in the area of integration as a model for other states and cities across the nation.

The undersigned amicus curiae supports the argument made in the brief filed by counsel for respondent Los Angeles Unified School District.

Dated: January 29, 1982.

Respectfully submitted,

LEONARD SACKS,
Attorney for Amicus Curiae.

JACK RUSSELL SMITH,
Of Counsel.